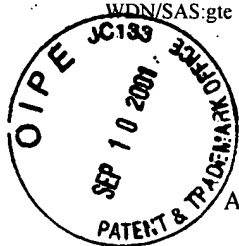


45



COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled VASOSTATIN AS MARROW PROTECTANT, the specification of which

- ☐ is attached hereto.
- ☒ was filed on April 6, 2001 as United States Application No. 09/828,000.
- ☐ was filed on _____ as International Application No. _____.
- ☐ and was amended on _____ (if applicable).
- ☐ with amendments through _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56. If this is a continuation-in-part application filed under the conditions specified in 35 U.S.C. § 120 which discloses and claims subject matter in addition to that disclosed in the prior copending application, I further acknowledge the duty to disclose material information as defined in 37 CFR § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of an PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)	Priority Claimed	
	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

<u>60/103,438</u>	<u>6 October 1998</u>
(Application No.)	(Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

PCT/US99/23240	5 October 1999	Pending
(Application No.)	(Filing Date)	(Status: patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Name	Reg. No.	Name	Reg. No.
James C. Haight	25,588	Jack Spiegel	34,477
Robert Benson	33,612	David R. Sadowski	32,808
Susan S. Rucker	35,762	Steven Ferguson	38,448
John Peter Kim	38,514	Norbert J. Pontzer	40,777
Stephen L. Finley	36,357	Marlene Shinn	46,005
Richard R. Rodriguez	45,980		

with an Associate Power of Attorney to the following:

Name	Reg. No.	Name	Reg. No.
Richard J. Polley	28,107	Lisa M. Caldwell	41,653
William D. Noonan	30,878	Michael D. Jones	41,879
Donald L. Stephens Jr.	34,022	Tanya M. Harding	42,630
Stacey C. Slater	36,011	Gregory L. Maurer	43,781
Susan Alpert Siegel	43,121	Robert F. Scotti	39,830
Wayne W. Rupert	34,420	Deborah B. Blyveis	47,337

all of the law firm of Klarquist Sparkman Campbell Leigh & Whinston, LLP.

Address all telephone calls to William D. Noonan, M.D., telephone number 503/226-7391 and facsimile number 503/228-9446.

Address all correspondence to:

KLARQUIST SPARKMAN CAMPBELL
LEIGH & WHINSTON, LLP
One World Trade Center, Suite 1600
121 SW Salmon Street
Portland, OR 97204-2988

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First Inventor: Giovanna Tosato

Inventor's Signature

Giovanna Tosato

7/24/01

Date

Residence: Bethesda, Maryland

Citizenship: United States of America

Post Office Address: 9007 Burning Tree Road, Bethesda, Maryland, 20817

Full Name of Second Joint Inventor: Sandra E. Pike

Inventor's Signature

Sandra E. Pike

7/26/01

Date

Residence: North Bethesda, Maryland

Citizenship: United States of America

Post Office Address: 5801 Edson Lane #102, North Bethesda, Maryland, 20852

Full Name of Third Joint Inventor: Lei Yao

Inventor's Signature

Lei Yao

7-24-01

Date

Residence: Rockville, Maryland

Citizenship: United States of America

Post Office Address: 13723 Valley Oak Circle, Rockville, Maryland, 20850